

Substitute for form 1449A/PTO		Complete if Known			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/595,602		
		Filing Date	October 28, 2004		
		First Named Inventor	Scott H Miller, et al.		
		Art Unit	3766		
		Examiner Name	Brian T. Gedeon		
Sheet	1	of	6	Attorney Docket Number	84662 - 392309

U.S. PATENT DOCUMENTS					
Examiner Initials *	Cite No.	Document Number Number - Kind Code ² (If known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		0,283,660	8/21/1883	Reed, C.C.	
		0,929,571	7/27/1909	Dubied, E.	
		1,576,397	7/18/1925	Yanagi	
		1,719,316	7/2/1929	Appleton, J.H.	
		3,552,383	1/5/1971	Krueger, Dean T.E. et al.	
		3,597,766	8/10/1971	Buck, Keith E.	
		4,014,318	3/29/1997	Dockum et al.	
		4,051,840	10/4/1977	Kantrowitz et al.	
		4,176,411	12/4/1979	Runge	
		4,195,623	4/1/1980	Zeff et al.	
		4,236,482	12/2/1980	Gingerich, David L. et al.	
		4,256,094	3/17/1981	Kapp, John P.	
		4,277,706	7/7/1981	Issacson	
		4,304,225	12/8/1981	Freeman	
		4,454,891	6/19/1984	Dreibelbis et al.	
		4,457,673	7/3/1984	Conley, Michael G. et al.	
		4,459,977	7/17/1984	Pizon, Veronique et al.	
		4,515,587	5/7/1985	Schiff, Peter	
		4,583,523	4/22/1986	Kleinke et al.	
		4,594,731	6/10/1986	Lewkowicz, Shlomo	
		4,630,597	12/23/1986	Kantrowitz et al.	
		4,676,482	6/30/1987	Reece, Marvin P. et al.	
		4,697,574	10/6/1987	Karcher et al.	
		4,763,646	8/16/1988	Lekholm	
		4,771,765	09/20/98	Choy et al.	
		4,813,952	3/21/1989	Khaifalla	
		4,822,357	4/18/1989	Forster, David A. et al.	
		4,881,939	11/21/1989	Newman	
		4,957,477	9/18/1990	Lundback	
		4,979,936	12/25/1990	Stephenson et al.	
		5,089,017	2/18/1992	Young et al.	
		5,197,980	3/30/1993	Gorahkov, Jury V. et al.	
		5,205,810	4/27/1993	Guiraudon et al.	
		5,222,980	6/29/1993	Gealow	
		5,267,940	12/7/1993	Moulder	
		5,273,518	12/28/1993	Lee	
		5,290,249	3/1/1994	Foster, Thomas L. et al.	
		5,300,111	4/5/1994	Panton, Ronald L. et al.	

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		5,337,752	8/16/1994	Reeves, William	
		5,344,385	9/6/1994	Buck, Keith E. et al.	
		5,360,445	11/1/1994	Goldowsky, Michael	
		5,372,573	12/13/1994	Habib	
		5,429,584	7/4/1995	Chiu	
		5,447,523	9/5/1995	Schaldach	
		5,453,076	9/26/1995	Kiyota, Yoshiharu et al.	
		5,554,177	9/10/1996	Kieval, Robert S. et al.	
		5,569,156	10/29/1996	Mussivand	
		5,593,414	1/14/1997	Shipp et al.	
		5,647,380	7/15/1997	Campbell et al.	
		5,722,930	3/3/1998	Larson, Jr., Carl O. et al.	
		5,792,195	8/11/1998	Carlson et al.	
		5,814,012	9/29/1998	Fleenor, Richard P. et al.	
		5,820,542	10/13/1998	Dobak III, John D. et al.	
		5,827,171	10/27/1998	Dobak III, John D. et al.	
		5,843,170	12/1/1998	Ahn	
		5,975,140	11/2/1999	Lin, Ching-Yi	
		5,980,488	11/9/1999	Heilman et al.	
		6,030,336	2/9/2000	Franchi	
		6,045,496	4/4/2000	Pacella et al.	
		6,066,085	5/23/2000	Heilman et al.	
		6,132,363	10/17/2000	Freed, Paul S. et al.	
		6,132,636	10/17/2000	Singh et al.	
		6,210,318	4/3/2001	Lederman, David M.	
		6,226,843	5/8/2001	Crainich	
		6,251,061	6/26/2001	Hastings, Roger N. et al.	
		6,432,039	8/13/2002	Wardle, John L.	
		6,471,633	10/29/2002	Freed	
		6,553,263	4/22/2003	Meadows, Paul M. et al.	
		6,572,534	6/3/2003	Milbocker, Michael T. et al.	
		6,585,635	7/1/2003	Aldrich, William N.	
		6,616,596	9/9/2003	Milbocker	
		6,626,821	9/30/2003	Kung et al.	
		6,643,548	11/4/2003	Mai et al.	
		6,808,483	10/26/2004	Ortiz et al.	
		6,808,484	10/26/2004	Peters et al.	

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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U.S. PATENT DOCUMENTS

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		6,984,201	1/10/2006	Khaghani, Asghar et al.	
		7,169,109	1/30/2007	Jansen, Jozef R.C. et al.	
		7,360,558	12/11/2007	Peters, William S. et al.	
		7,347,811	3/25/2008	Peters, William S. et al.	
		7,357,771	4/15/2008	Peters, William S. et al.	
		7,513,864	4/7/2009	Kantrowitz, Allen B. et al.	
		7,740,575	6/22/2010	Peters, William S. et al.	
		7,765,003	8/3/2010	Miller, Gary L. et al.	

U.S. PUBLICATIONS

Examiner Initials *	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		2003/0105497	6/5/2003	Zhu et al.	
		2004/0073080	4/15/2004	Peters, William S. et al.	
		2004/0097783	5/20/2004	Peters, William S. et al.	
		2004/0097784	5/20/2004	Peters, William S. et al.	
		2004/0147803	7/29/2004	Hedge, Anant V. et al.	
		2007/0093684	4/26/2007	Peters, William S. et al.	
		2007/0021830	1/25/2007	Peters, William S.	
		2007/0129796	6/7/2007	Miller, Scott H.	
		2007/0167898	7/19/2007	Peters, William S. et al.	
		2008/0139873	6/12/2008	Peters, William S. et al.	
		2008/0167515	7/10/2008	Peters, William S. et al.	
		2008/0027270	1/31/2008	Peters, William S. et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ² - Kind Code ⁴ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁵
		AU 2003277983	6/26/2008	Peters, William S. et al.		
		DE 1541311	9/11/1969	Zacouto Dr Med Fred		X
		EP 0080348 B2	5/4/1988	Medtronic, Inc.		
		EP 0216042	3/6/1991	Khalafalia, Aida S.		
		EP 0363203	4/11/1990	Milder, Fredric L. et al.		
		EP 0364799	4/25/1990	Bodden, William L.		
		EP 0601804	6/15/1994	Davidson, James A. et al.		
		EP 1129736	9/5/2001	Levram Medical Devices		

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		FR 2458288	1/2/1981	BeJenger et al		X
		FR 2645739	10/19/1990	VM Tech SA		X
		FR 2767874	3/5/1999	Commissariat A L'Energie Atomique		X
		GB 2422114	4/16/2008	Peters, William S.		
		JP 10-328297	12/15/1998	Buaayu:KK		X
		JP 2000-510006	8/8/2000			X
		JP 9-502376	3/11/1997	Pacella, John J. et al.		X
		JP 9-503933	4/22/1997	Mussivand, Tofy		X
		JP-H11-285529	10/19/1999	Heilman, Marlin S. et al.		X
		WO 1992/08500	5/29/1992	McGill University		
		WO 1993/08874	5/13/1993	Medtronic, Inc.		
		WO 1995/28127	10/26/1995	Pacella, John J. et al.		
		WO 1997/40755	11/6/1997	Zukowski et al.		
		WO 1998/05289	2/12/1998	Fogarty et al.		
		WO 1998/14239	4/9/1998	Pacesetter AB		
		WO 1998/51367	11/19/1998	Freed, Paul S. et al.		
		WO 1999/02213	1/21/1999	University New York		
		WO 1999/04833	2/4/1999	Gruss, Jean-Antoine et al.		X
		WO 1999/45981	9/16/1999	L. VAD Technology		
		WO 2000/012168	3/9/2000	Samson, Wilfred J. et al.		
		WO 2000/076288	12/21/2000	Sunshine Heart Company Pty Ltd		
		WO 2001/13974	3/1/2001	Freed, Paul S.		
		WO 2001/83001	11/8/2001	Vasca, Inc.		
		WO 2002/024254	3/28/2002	Imperial College Innovations Ltd.		
		WO 2002/024255	3/28/2002	Sunshine Heart Company Pty Ltd		
		WO 2002/076305	10/3/2002	Lane, Rodney J.		
		WO 2003/011365	2/13/2003	Peters, William S. et al.		
		WO 2003/028787	4/10/2003	Peters, William S. et al.		
		WO 2004/045677	6/3/2004	Peters, William S. et al.		
		WO 2005/041783	5/12/2005	Sunshine Heart Company Pty Ltd.		

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		WO 2005/042063	5/12/2005	Sunshine Heart Company Pty Ltd		
		WO 2005/044338	5/19/2005	Miller, Scott H.		
		WO 2005/110512	11/24/2005	PPA Technologies AG		X
		WO 2008/053469	5/8/2008	Shalev Alon		
		WO 2008/071223	6/19/2008	Azzolina, Gaetano		

NON PATENT LITERATURE DOCUMENTS						
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		Seymour Furman et al., "Cardiac Support by Periaortic Diastolic Augmentation", New York Journal of Medicine, Aug. 1, 1970, pp. 1964-1969.				
		J.L. Stewart, "Aortic Cuff a Cardiac Assistance Device", Polytechnic Institute of Brooklyn, 1968, pp. 9-108.				
		Hiroshi Odaguchi et al., "Experimental Study of Extraaortic Balloon Counterpulsation as a Bridge to Other Mechanical Assists" ASAIO Journal, pp. 190-194, vol. 42, No. 3, Lippincott Williams & Wilkins/ASAIO, Hagerstown, MD, May 1, 1996. cited by other.				
		"Use of Heart Valve Sounds as Input to Cardiac Assist Devices", Research Disclosures, March 1995				
		Luisada et al., "On the Function of the Aortic Valve and the Mechanism of the First and Second Sounds, Japanese Heart Journal, Vol. 18(1), Jan 1977, pp. 81-91				
		International Search Report issued in PCT/AU00/00654, mailed 8/18/2000, 5 pages				
		International Search Report issued in PCT/AU2002/000974, mailed October 11, 2002, 5 pages				
		International Preliminary Examination Report issued in PCT/AU2002/000974, completed August 11, 2003, 8 pages				
		International Search Report issued in PCT/AU2001/01187, mailed November 5, 2001, 3 pages				
		International Preliminary Examination Report issued in PCT/AU2001/01187, completed May 2, 2002, 4 pages				
		International Search Report and Written Opinion issued in PCT/AU2007/001188, mailed 10/4/2007, 12 pages				

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		International Preliminary Report on patentability, Chapter II, issued in PCT/AU2007/001188, completed March 11, 2008, 8 pages	
		International Search Report issued in PCT/AU2003/001450, mailed February 2, 2004, 2 pages	
		International Preliminary Examination Report issued in PCT/AU2003/001450, completed March 2, 2005, 4 pages	
		International Search Report issued in PCT/AU2003/001458, mailed 2/5/2004, 5 pages	
		International Preliminary Examination Report issued in PCT/AU2003/001458, completed March 7, 2005, 7 pages	
		International Search Report and Written Opinion issued in PCT/AU2004/001483, mailed November 26, 2004, 5 pages	
		International Search Report and Written Opinion issued in PCT/AU2004/001484, mailed 11/29/2004, 5 pages	
		International Search Report and Written Opinion issued in PCT/AU2004/01485, mailed 2/7/2005, 6 pages	
		International Search Report and Written Opinion issued in PCT/AU2004/001486, mailed 1/6/2005, 7 pages	
		International Search Report and Written Opinion issued in PCT/AU2004/01487, mailed 1/27/2005, 12 pages	
		International Search Report and Written Opinion issued in PCT/AU2004/01488, mailed December 15, 2004, 6 pages	
		Supplemental European Search Report issued in EP Application 00934813, mailed 0/19/2006, 2 pages	
		Supplemental European Search Report issued in EP 01971489, completed November 22, 2006, 4 pages	
		Supplemental European Search Report issued in EP App No. 02748447, February 6, 2007, 6 pages	
		Supplemental European Search Report issued in EP App. No. 04789624, mailed March 6, 2008, 7 pages	
		Supplemental European Search Report issued in EP 04789625, mailed 11/18/2009, 6 pages	
		Office Action issued in JP Application No. 2004-552261, dated March 2, 2010	

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